REMARKS

The communication issued by the Office have been reviewed and reconsideration of the above-identified application, as amended, in view of the following remarks, is respectfully requested

Claims 1, 3-11, 13, 14, 21, 23-31, 33 and 38-40 are pending and stand rejected.

Claims 1 and 21 are independent claims.

Claims 1 and 21 have been amended.

Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-31, 33 and 38-40 stand rejected under 35 USC §102(e) as being anticipated by Siah (WO 02/15024). Claims 6-7 and 26-27 stand rejected under 35 USC §103(a) as being unpatentable over Siah in view of Official Notice.

Applicant gratefully thanks the Examiner for taking the time to discuss the Examiner's interpretation of the term "indication." In view of the discussion, application has removed the term "indication" and amended the claims to provide further clarity to the subject matter claimed as the invention.

Applicant submits that the broad interpretation of the term "indication" is no longer applicable.

In maintaining the rejection of Claims 1, 3-5, 8-11, 13, 14, 21, 23-25, 28-31, 33 and 38-40 under 35 USC §102(e) as being anticipated by Siah, the Office Action, in reply to Applicant's comments asserts "Siah (figure 8 #804 and #806) teaches he C-PBIT information is read from a database in ram which is then used by the method to calculate the DVD signature ... There are pluralities of methods for deriving the DVD signature.(page 14, lines 20-31 ... and page 15, lines 5-19). 'Indication' is a very broad term. The DVD player has stored in ram the steps for the software process for deriving the method (page 5, lines 20-25). The stored steps are an 'indication' of selecting the method to calculate the signature, because it will indicate that the player should use the first method (page 14, lines

20-31). This location also pre-selects what the DVD player should use to derive the signature (for example: derive the signature using the C-PBIT information). Therefore, Siah does teach the argued limitation as the claim language reads." (see FOA, page 2-3).

Applicant respectfully disagrees with and explicitly traverses the rejection of the claims.

Siah discloses a system including a DVD client device that determines a DVD signature from navigation information read from a DVD and provides the determined DVD signature to a DVD information server that is used to identify particular web content that relates to the DVD. The web content may include promotional material specific to the DVD. Siah in addition discloses that the DVD signature is used to access a local data base that may include a record corresponding to the DVD (see page 11 and the description associated with Figure 11). If a record associated with the DVD signature is not found, then the DVD signature is provided to a DVD server to update the information in the local data (see, for example, page 11, line 7). The updated information includes URL values (see page 11, line 24).

Siah further discloses that different DVD signatures may be stored for the same DVD title (see page 14, line 3). The different DVD signatures may be used in different regions or to identify different version of the content of the DVD within a same region.

In addition, Siah discloses two different methods of determining the DVD signature based on using the C-PBIT information. (see Figures 13 and 14). Siah further discloses that the DVD signature can be calculated from "[[a]] myriad of possible calculations including but not limited to other calculations based on Boolean and arithmetic operations on navigation data, preferably C-PBIT data are possible." (see page 15, lines 25-27).

However, although Siah discloses different methods for determining a signature, (which is also referred to the in the instant specification, see page 5, "However, not every DVD has BCA and also not every DVD player can read BCA. In this case, alternative method such as "Generate ID" may be used. In such case,

player 10 will try to use the indicated algorithm to15 generate the TitleJD based on the information in the specified location (e.g.,VMGIJVIAT). There are many methods to generate the TitleJD."), Siah is silent with regard to *a title identification deriving value, the value associated with selection of a method* **for** deriving a title identification for each of the content providers included in the local database, as is recited in the claims.

Although the Office Action asserts that "the information that is read is also an 'indication' of a method to be used," applicant submits that based on the processing shown in Figures 13 and 14, that neither of these algorithms (i.e., methods) is selected based on information that is included in a local base, as is recited in the claims. Rather, the method selected for determining the title identification is contained in the player and, from a reading of Siah, the method is fixed. For example, Siah refers to "[a] processor 218 is provided for controlling the function of the DVD player and executing software according [to] the present invention which is discussed below with reference to flow charts shown in FIGs. 5, 8, 13 and 14." With reference to Figure 5, Siah discloses "a unique DVD signature for the [for the] DVD 110, 116 is calculated based on the disk navigation information..." With reference to Figure 8, Siah discloses a process of determining a DVD signature based on DVD navigation information and Figures 13 and 14 disclose different methods.

However, nowhere does Siah disclose *a value that may be used to select different methods* for calculating a title identification based on information in a local data base, and is associated with different content providers.

Rather Siah teaches that a method (or one of a number of different methods) may be used to determine a title identification. However, Siah does not teach the claim element of *"a value associated with selection of a method...,"* as is recited in the claims.

A claim is anticipated if an only if each of the elements recited in claims may be found in a single prior art reference.

In this case, Siah cannot be said to anticipate the invention claimed, as recited in claims 1 and 21, as Siah fails to disclose the claim element of **"a value associated with selection of a method"** for deriving a title identification for each of the content providers."

With regard to the rejection of the remaining claims, these claims depend from independent claims 1 and 21, and, hence, these claims are not anticipated by Siah for at least their dependency upon an allowable base claim.

With regard to the rejection of claims 6, 7, 26 and 27 as being rejected under 35 USC §103 over Siah in view of Official Notice, applicant respectfully disagrees with and explicitly traverses the rejection of the aforementioned claims. As shown above, Siah fails to disclose a material element recited in the independent claims from which the aforementioned claims depend and the Official Notice taken provides no suggestion or teaching to correct the deficiency found to exist in Siah.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations

In this case, the combination of Siah and Official Notices fails to disclose a material element recited in the independent claims and thus, the combination of Siah and Official Notice cannot be said to render obvious the subject matter recited in the aforementioned dependent claims.

For the amendments made to the claims, applicant submits that the reason for the rejection has been overcome and respectfully requests that the rejection be withdrawn.

For all the foregoing reasons, it is respectfully submitted that all the claims are in allowable form and the issuance of a Notice of Allowance is respectfully requested.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action is conceded.

Applicant makes no statement regarding the patentability of the subject matter recited in the claims prior to this Amendment and has amended the claims solely to facilitate expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by the originally filed claims, as presented prior to this Amendment, and any additional claims in one or more continuing applications during the pendency of the instant application.

In order to advance the prosecution of the matter, applicant respectively requests that any errors in form that do not alter the substantive nature of the arguments presented herein be transmitted telephonically to the applicant's representative so that such errors may be quickly resolved or pursuant to MPEP 714.03 be entered into the record to avoid continued delay of the prosecution of this matter any further.

MPEP 714.03 affords the Examiner the discretion, pursuant to 37 CFR 1.135 (c), to enter into the record a bona fide attempt to advance the application that includes minor errors in form.

"[a]n Examiner may treat an amendment not fully responsive to a non-final Office Action by: (A) accepting the amendment as an adequate reply to the non-final Office action to avoid abandonment ... (B) notifying the

applicant that the reply must be completed... (C) setting a new time period for applicant to complete the reply ...

The treatment to be given to the amendment depends upon:
 (A) whether the amendment is bona fide; (B) whether there is sufficient time for applicant's reply ... (C) the nature of the deficiency.

Where an amendment substantially responds to the rejections, objections or requirements in a non-final Office action (and is bona fide attempt to advance the application to final action) but contains a minor deficiency (e.g., fails to treat every rejection, objection or requirement), the examiner may simply act on the amendment and issue a new (non-final or final) Office action. The new Office action may simply reiterate the rejection, objection or requirement not addressed by the amendment (or otherwise indicate that such rejection, objection or requirement is no longer applicable).

This course of action would not be appropriate in instances in which an amendment contains a serious deficiency (e.g., the amendment is unsigned or does not appear to have been filed in reply to the non-final Office action)..."

Although the instant Office Action has been made Final, the amendments to the claims should be entered into the record as they merely recite the subject matter claimed a better form, and would not require more than a cursory search by the Examiner.

In the event the Examiner deems personal contact desirable in the disposition of this case, the Examiner is invited to contact the applicant's representative at the telephone given below.

Respectfully submitted,

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